



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO.80 OF 2025

Surendra Madhukar Sawarkar .Vs. State of Maharashtra, and another

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. A.A. Dhawas, Advocate for applicant.

Ms Soniya Thakur, A.P.P. for non-applicant/State.

CORAM : ANIL S. KILOR AND
MRS. VRUSHALI V. JOSHI, JJ.

DATE : 18/06/2025

1. Heard.

2. At the outset, learned counsel for the applicant seeks permission to carry out the amendment in the prayer clause.

Permission is granted. Amendment be carried out forthwith.

3. In the present matter, a prayer is made for quashing of the Chargesheet bearing No.187 of 2024, dated 08.07.2024 and Regular Criminal Case No.199 of 2024 arising out of Crime No.437 of 2024, dated 10.05.2024 registered with Police Station, MIDC, Nagpur, for the offence punishable under Section 376(2)(n) of the Indian Penal Code.

4. On 09.05.2025, the non-applicant No.2 personally appeared before this Court and expressed her desire not to prosecute the applicant as the applicant and non-applicant No.2 had decided to perform marriage.

5. Today, the learned counsel for the applicant has produced marriage certificate dated 28.05.2025. The learned counsel for the non-applicant No.2 is not disputing the fact of the marriage. The certificate of marriage is taken on record and marked as article 'X' for the purpose of identification.

6. Thus, considering the fact that the applicant and the non-applicant No.2 have performed marriage and in view of the same, non-applicant No.2 does not want to prosecute the applicant, we are of the opinion that even if the trial is conducted no purpose will be served. In the circumstances, the application is **disposed of** in terms of prayer clause (AA).

(MRS. VRUSHALI V. JOSHI, J.) (ANIL S. KILOR, J.)